

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2000-989

January 3, 2001

AES NEWENERGY, INC.  
Request to Transfer Competitive Electricity  
Provider License of NewEnergy East, LLC

ORDER TRANSFERRING  
LICENSE

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

---

## **I. SUMMARY**

In this Order, we transfer a license issued to NewEnergy East, L.L.C. to operate as a competitive electricity provider in Maine to AES NewEnergy, Inc.

## **II. APPLICATION**

On December 13, 1999, in Docket No. 99-809, the Commission issued a license to NewEnergy East, L.L.C. (NewEnergy) to operate in Maine as a competitive electricity provider, as provided in Chapter 305 of the Commission's Rules. On March 17, 2000, in Docket No. 2000-153, the Commission amended NewEnergy's license to expand its authority to serve all retail customer classes.

On December 11, 2000, NewEnergy requested that its license be transferred to its parent organization, AES NewEnergy, Inc. (AES NewEnergy). In its request, NewEnergy stated that the NewEnergy East, L.L.C. subsidiary will be "rolled into" and merged with AES NewEnergy effective December 31, 2000. Section 2(C)(10) of Chapter 305 requires prior Commission approval of any license transfer, upon written request "accompanied by a completed license application from the transferee." In its request for transfer of its license, NewEnergy provided a license application reflecting any changes from information provided in its prior applications.

## **III. TRANSFER OF LICENSE**

Based on our review of the information provided by NewEnergy in its initial application and the information provided with this request, we grant NewEnergy's request to transfer its license as a competitive electricity provider to AES NewEnergy, Inc. As transferee of this license, AES NewEnergy, Inc. must comply with all applicable requirements and limitations in the Commission's Order Granting License in Docket No. 99-809, and Order Amending License in Docket No. 2000-153, and all requirements and limitations in Chapter 305 not explicitly waived in those Orders. AES NewEnergy, Inc. must also comply with all requirements and limitations in other applicable

Commission rules, including any applicable future changes in Maine laws and Commission rules.

### III. CONSUMER PROTECTIONS

An Act Relating to Electric Industry Restructuring, P.L. 1999, ch. 657, § 19, requires that competitive electricity providers provide certain protections to consumers. Accordingly, as a condition of licensing, AES NewEnergy, Inc. shall comply with all consumer protection requirements in 35-A M.R.S.A. §§ 3203 (4) and (4-A).

### IV. ORDERING PARAGRAPHS

Accordingly, we

1. transfer the license issued in Docket No. 99-809 to NewEnergy East, L.L.C. to operate as a competitive electricity provider pursuant to Chapter 305 of the Commission's Rules, as amended in Docket No. 2000-153, to AES NewEnergy, Inc., effective on the date of this Order;
2. order that AES NewEnergy, Inc. must comply with all consumer protection requirements contained in Part III of this Order;
3. order AES NewEnergy, Inc. to observe all other requirements and limitations contained in the Commission's orders in Docket Nos. 99-809 and 2000-153, attached to this Order; and
3. order that the license is valid until revoked by the Commission pursuant to section 3(A)(4) of Chapter 305, or abandoned by the licensee pursuant to sections 2(C)(9) and 2(C)(11) of Chapter 305 of the Commission's Rules.

Dated at Augusta, Maine, this 3<sup>rd</sup> day of January, 2001.

BY ORDER OF THE COMMISSION

---

Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR: Welch  
Nugent  
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.